

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, 4-7, and 9-39 are pending in the present application, Claims 1, 2, 4-7, 9-12, 18, 19, 22, and 25-32 are amended, Claims 33-39 are added, and Claims 3 and 8 are canceled without prejudice or disclaimer by the present amendment. Support for the amendments to independent Claims 1, 6, 11, 18, 25, and 29 is found in the Specification at page 30, line 20 to page 34, line 13 and Fig. 11, for example, and thus no new matter is added. The dependent claims are amended to track the changes to the independent claims without adding new matter.

In the outstanding Office Action, Claims 1-10 were rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention; Claims 1-4, 6-9, 11-16, 18-23, and 25-32 were rejected under 35 U.S.C. § 102(e) as anticipated by Ruberry et al. (U.S. Patent No. 6,356,287, hereinafter Ruberry); and Claims 5, 10, 17, and 24 were rejected under 35 U.S.C. §103(a) as unpatentable over Ruberry in view of Chou et al. (U.S. Patent No. 5,337,357, hereinafter Chou).

With respect to the rejection of Claims 1-10,<sup>1</sup> Claim 1 is amended to correct a typographical informality and to clarify that “deciphered data” is printed. Accordingly, Applicant respectfully submits that rejection under 35 U.S.C. §112 is overcome.

With respect to the rejection of Claim 1 as anticipated by Ruberry, Applicant respectfully traverses the rejection because Ruberry does not teach or suggest every element of Amended Claim 1.

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<sup>1</sup> Applicant respectfully points out that only Claims 2-5 depend from Claim 1, and Claims 6-10 should not be rejected under 35 U.S.C. §112, second paragraph.

Amended Claim 1 is directed to an image forming apparatus connectable to an external apparatus that enciphers and sends digital data, including: a key generating unit configured to generate an enciphering key in response to a request from the external apparatus; a storage part configured to store the enciphering key generated by the key generating part; a key sending part configured to send the enciphering key to the external apparatus; a deciphering part configured to decipher enciphered data received from the external apparatus, based on the enciphering key stored in the storage part; a judging part configured to judge whether or not deciphered data obtained by the deciphering part is valid; and a printing part configured to print the deciphered data on a recording medium if the judging part judges that the deciphered data is valid. This configuration prevents copying of digital data that is distributed via networks.<sup>2</sup>

Amended Claim 1 recites "...a judging part configured to judge whether or not deciphered data obtained by the deciphering part are valid...." Ruberry does not teach or suggest this element of amended Claim 1.

Ruberry only describes an electronic reading system that allows users to download electronic books and other types of content to be viewed on a hand-held reader device. The data downloaded from the Internet is transferred to the hand-held reader device encrypted by a public key. The data is decrypted inside the hand-held reader device using a private key.<sup>3</sup> By using a private key that corresponds to a public key, there is no need for a judging part. Thus, Ruberry does not teach or suggest the claimed "...a judging part configured to judge whether or not deciphered data obtained by the deciphering part are valid...."

In addition, amend Claim 1 recites "...a printing part configured to print the deciphered data on a recording medium if the judging part judges that the deciphered data is valid." Ruberry does not teach or suggest this element of amended Claim 1.

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<sup>2</sup> Specification, page 6, lines 8-10.

<sup>3</sup> Ruberry, col. 5, lines 11-37.

The Office Action relies on col. 5, lines 50-54 of Ruberry to describe a printing means.<sup>4</sup> However, col. 5 lines 50-54 do not describe a printing means. Rather, Ruberry describes that the downloaded data that is encrypted are maintained in a FLASH memory, and are written to DRAM as the data is decrypted.<sup>5</sup> Writing to a DRAM does not equate to a printing part. Thus, Ruberry does not teach or suggest the claimed “a printing part configured to print the deciphered data on a recording medium if the judging part judges that the deciphered data is valid.”

In view of the above-noted distinctions, Applicant respectfully submits that Claim 1 (and dependent Claims 2, 4, 5, and 33-37) patentably distinguish over Ruberry. In addition, Applicant respectfully submits that independent Claims 6, 11, 18, 25, and 29 (and dependent Claims 7, 9, 10, 12-17, 19-24, 26-28, 30-32, 38, and 39) patentably distinguish over Ruberry for at least the reasons given for amended Claim 1.

With respect to rejection of Claims 5, 10, 17, and 24 under 35 U.S.C. §103(a) as unpatentable over Ruberry in view of Chou, Applicant respectfully submits that this ground of rejection is overcome in view of the previous discussion.

Finally, Applicant respectfully requests that receipt of the certified copies of the priority documents filed on March 25, 2002 be acknowledged as received in the next Office Communication.

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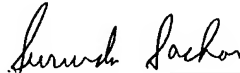
<sup>4</sup> Office Action, page 3.

<sup>5</sup> Ruberry, col. 5, lines 53-57.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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